

**AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

**LISTING OF CLAIMS:**

1. (original): A radio transmitter-receiver wherein a pilot symbol that has undergone M-chip spreading on a frequency axis and N-chip spreading on a time axis by means of a spreading code having an  $M \times N$  chip length (where M and N are any integers greater than or equal to 2) is used in the transmitter, and in the receiver, a spreading code that is not used in spreading a pilot signal is used as a despreading code to despread a received signal and then estimate noise and interference power;

wherein said spreading code that is used in spreading a pilot symbol and said despreading code that is used in despreading are assigned so as to be orthogonal at least in only N chips on the time axis and/or in only M chips on the frequency axis.

2. (original): A radio transmitter-receiver according to claim 1, wherein at least one of code that is orthogonal to said despreading code that is used in despreading even if only in M chips on the frequency axis and/or code that is orthogonal to said despreading code that is used in despreading even if only in N chips on the time axis is preferentially assigned as said spreading code that is used in spreading pilot symbols.

3. (original): A radio transmitter-receiver according to claim 1, further comprising: means for detecting whether either of channel fluctuation on the frequency axis or channel fluctuation on the time axis is prominent;

wherein:

code that is orthogonal even if only in M chips on the frequency axis is assigned as said spreading code that is used in spreading a pilot symbol when channel fluctuation is prominent on the time axis; and

code that is orthogonal even if only in N chips on the time axis is assigned as said spreading code that is used in spreading a pilot symbol when channel fluctuation is prominent on the frequency axis.

4. (original): A radio transmitter-receiver according to claim 3, wherein delay spread is used as an index of channel fluctuation on the frequency axis.

5. (original): A radio transmitter-receiver according to claim 3, wherein a coherent band is used as an index of channel fluctuation on the frequency axis.

6. (original): A radio transmitter-receiver according to claim 3, wherein Doppler frequency is used as an index of channel fluctuation on the time axis.

7. (original): A radio transmitting and receiving method wherein a pilot symbol that has undergone M-chip spreading on a frequency axis and N-chip spreading on a time axis by means of a spreading code having an  $M \times N$  chip length (where M and N are any integers greater than or equal to 2) is used in the transmitter, and in the receiver, a spreading code that is not used in spreading a pilot signal is used as a despreading code to despread a received signal and then estimate noise and interference power;

wherein said spreading code that is used in spreading a pilot symbol and said despreading code that is used in despreading are assigned so as to be orthogonal at least in only N chips on the time axis and/or in only M chips on the frequency axis.

**AMENDMENT UNDER 37 C.F.R. § 1.111**  
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8. (new): A radio transmitter-receiver according to claim 1, wherein the spreading code is at least one of a plurality of orthogonal spreading codes.